REMARKS

Applicant traverses all of the rejections in the Office Action and respectfully request reconsideration and passage of the claims to allowance for the following reasons. Claims 1 and 3-21 are currently pending and are rejected.

Claims 1 and 3-21 patentable over Goldszmidt/Ohran under §103

Claims 1 and 3-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,195,680 to Goldszmidt et al. ("Goldszmidt") in view of U.S. Patent No. 5,812,748 to Ohran et al. ("Ohran"). In addition, extensive reference was made in the rejections to U.S. Patent No. 5,918,017 to Attanasio et al. ("Attanasio"), which Goldszmidt incorporated by reference. Applicant respectfully traverses the rejection.

Specifically, Applicant submits that the combined teaching of Goldszmidt and Ohran does not teach or suggest Applicant's independent claims 1 and 11.

Claims 1 and 11 have been amended to further clarify Applicant's invention. The amended claim 1 recites, in part:

> "dedicating, at said head-end, at least one secondary head-end controller respectively having said at least one managing module as a resource for executing said video session, wherein said executing said video session comprises concurrently processing different sub-parts of session-state data of said video session at said primary head-end controller and said at least one secondary head-end controller using a distributed managing module associated with each of said primary head-end controller and said at least one secondary head-end controller."

The amended claim 1 explicitly recites that the sub-parts of session-state data that are being concurrently processed are different sub-parts of the data belonging to one session. Support for this can be found, for example, on p. 9, line 30 - p. 10, line 10.

Specifically, p. 10, lines 6-10 teaches that session-state data processed by the primary and secondary head-end controllers are stored on their respective dedicated fixed storage devices and memories, and "[i]n this fashion, the time to

process data via a distributed managing module is beneficially reduced almost in half" (p. 10, lines 9-10).

It is clear that this reduction in processing time can only be achieved if different sub-parts of the session-state data are concurrently processed at each controller. (If both controllers are processing the same sub-parts of the data, there will not be any reduction in processing time.) As such, no new matter has been added.

The Examiner stated in the Advisory Action that "Goldszmidt clearly discloses the server (Fig. 1-3) which performs concurrent processing of session-state data of the video session using a distributed managing module associate[d] with the server controller," e.g., server controllers 2.1 and 3.1 of Fig. 2-3, "by maintaining the delivery of the multimedia stream from server 3.6 to server 3.7 through link 3.12 under the request from the client agent 3.5".

Applicant respectfully disagrees.

"Concurrent" means operating or occurring at the same time. Unlike Applicant's claim 1, Goldszmidt does not teach or suggest processing different sub-parts of session data belonging to a single session (e.g., a single client request) at the same time by different controllers.

Instead, Goldszmidt teaches, in reference to Fig. 3:

> "In FIG. 3(a), an original connection 3.9, assigned by the control server 3.1 to deliver the multimedia stream from a primary streaming server 3.2 to the client agent 3.5 fails." (col. 9, lines 7-9);
>
> "As a result of this failure, the client agent 3.5 can send a message 3.10 to the control server 3.1, requesting to be switched to an alternate server." (col. 9, lines 14-16);
>
> "the control server 3.1 then redirects 3.1 1 the Client Agent's multimedia stream request to an alternate server 3.3 in the set of streaming servers 3.7" (col. 9, lines 17-19)
>
> "Referring now to FIG. 3(c), the selected alternate server 3.7 starts streaming data to the client agent over the Link 3.12 with minimal or no disruption" (col. 9, lines 20-22).

Thus, all that Goldszmidt teaches is that, when the link 3.9 fails, the control server 3.1 redirects the request from server 3.6 to server 3.7 for processing, so that the processed stream can be provided to the client agent 3.5 by server 3.7 via a different link 3.12 (see Fig.3). Since processing of the client's request is switched from server 3.6 to server 3.7 only upon failure of link 3.9, servers 3.6 and 3.7 clearly are not processing concurrently, i.e., at the same time, any sub-parts of session-state data relating to the client's request.

Instead, switching from server 3.6 to server 3.7 means that the request is processed in a sequential manner, i.e., first on server 3.6 (before the failure of link 3.9), and then on server 3.7, after link 3.9 fails.

As such, Goldszmidt's Fig. 3 and associated discussions clearly do not support the Examiner's interpretation of concurrent processing of the sub-parts of session-state data corresponding to the client's request.

That Goldszmidt does not teach any concurrent processing of sub-parts of session-state data for a session of a client's request is further supported by Goldszmidt's teaching in Figs. 1-2, in which the control server acts as a gateway for a number of client requests and redirect these requests between the two sets of streaming servers (e.g., 1.5 and 1.6 in Fig. 1, or 2.6 and 2.7 in Fig. 2; emphasis added). "Each instance of the streaming process begins with a client agent 1.8 connecting to the control server 1.1 requesting the multimedia stream. The control server then assigns and redirects the client to one of the streaming servers in either of the two groups (1.5, 1.6)" (col. 5, lines 54-58; Fig. 1)

Thus, Goldszmidt only teaches distributing the workload for a number of different client requests or connections among different streaming servers, with each client request or session being handled by one streaming server.

There is simply no teaching in Goldszmidt that data for a session from one client request is divided into different sub-parts for concurrent processing by different servers.

The Examiner also stated that Goldszmidt does not teach a dedicated secondary server having the same managing module for concurrently processing the session-state data, and thus, cited Ohran's Fig. 7, col. 11, line 51 - col. 12, line 6

for allegedly teaching a dedicated secondary server in which "the processing of any (sub-parts) session-state data is processed through distributed managing module concurrently on both primary server and secondary server" (Advisory Action and Final Office Action, p. 6).

Applicant submits that Ohran also fails to teach or suggest at least the claimed features relating to concurrent processing of different sub-parts of session-state data of the video session at said primary head-end controller and said at least one secondary head-end controller.

Instead, Ohran teaches a backup system in which two computer systems each runs a mass storage emulator that allows one system to access the mass storage device on the other system, and thus, acts as a backup for each other (Ohran, Abstract; col. 11, line 51 - col. 12, line 6; Fig. 7).

In other words, when one computer system fails, the other system can still access an identical copy of the data on the non-functioning computer's mass storage device without delay.

But emulating a mass storage device on a backup computer is far different from having two devices concurrently processing different sub-parts of session-state data of a video session. In Applicant's invention, the use of different controllers to concurrently process different sub-parts of session-state data of a video session allows the data to be processed faster than without concurrent processing.

Ohran teaches something entirely different -- it provides two mass storage devices that are mirrors of each other, i.e. the same data is stored in each device, e.g., col. 12, lines 20-22. Therefore, even if Ohran is broadly interpreted, Ohran at best teaches the ability to retrieve identical copies of data from two different computers when both are operational. There is nothing that suggests any concurrent processing of different sub-parts of data by different servers.

As such, Ohran fails to teach or suggest at least the following features in claim 1:

> "dedicating, at said head-end, at least one secondary head-end controller respectively having said at least one managing module as a resource for executing said video session, wherein said executing said video session comprises concurrently processing different sub-parts of

> session-state data of said video session at said primary head-end controller and said at least one secondary head-end controller using a distributed managing module associated with each of said primary head-end controller and said at least one secondary head-end controller" (emphases added).

Even though one sentence in Ohran teaches that "when neither file server is down, the users enjoy the benefits of fully utilizing the resources of their redundant file server capability," (col. 12, lines 1-3), this general statement simply does not teach or suggest the specifics of concurrently processing different sub-parts of session-state data for one video session.

In summary, Ohran's computer backup system with duplicate mass storage devices simply would not have suggested a method that includes concurrent processing of session-state data in the specific manner provided in Applicant's invention.

Since the combination of Goldszmidt and Ohran fails to teach or suggest all the elements in claim 1, Applicant submits that claim 1 is patentable over Goldszmidt in view of Ohran.

Claims 3-10 depend directly or indirectly from claim 1, and thus, inherit the patentable subject matter of claim 1, while adding additional elements and further defining elements. Therefore, claims 3-10 are also patentable over the combination of Goldszmidt and Ohran under §103 for at least the reasons given above with respect to claim 1.

The amended claim 11 recites, in part: "wherein at least one of said managing modules is a distributed managing module and processes different sub-parts of said session-state data of said video session using at least two of said plurality of head-end controllers."

For at least the same reasons set forth above in connection with claim 1, claim 11 is also patentable over the combination of Goldszmidt and Ohran under §103.

Claims 12-21 depend directly or indirectly from claim 11, and thus, inherit the patentable subject matter of claim 11, while adding additional elements and further defining elements. Therefore, claims 12-21 are also patentable over the

combination of Goldszmidt and Ohran under §103 for at least the reasons given above with respect to claim 11.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests reconsideration and passage of the claims to allowance. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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